

REMARKS

This responds to the Office Action mailed on May 22, 2006, and the references cited therewith.

Claims 2 and 19 are amended, claims 3-4 and 20-21 have been canceled, no claims have been added; as a result, claims 1-2, 5-19, and 22-36 are pending in this application.

Claim Objections

Claims 2 and 19 were objected to because of the following informalities: in claims 2 and 19, the term “. . . and the network addresses is . . .” should be changed to “. . . and the network address is.” Claims 2 and 19 have been amended accordingly. Therefore, Applicants respectfully request that this objection be withdrawn.

§102 Rejection of the Claims

Claims 1-2, 6-7, 9-15, 18-19, 23-24 and 26-32, 35 and 36 were rejected under 35 U.S.C. § 102(e) for anticipation by Kari et al. (U.S. 6,154,745). This rejection is respectfully traversed.

Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claims, arranged as in the claim. 35 U.S.C.A. § 102(b), Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Co., 730 F.2d 1452, C.A.Fed.,1984.

Claims 1, 18, 35 and 36, each recite, in part:

“wherein the geolocation activities include tasking a plurality of data collection machines to collect data pertaining to the network address and mapping the network address to the geographic location based on the collected data.”

The Action, at page 3, refers to “servers 3 and 4 fig. 2” of Kari for the ‘plurality of data collection machines to collect data pertaining to the network address’ of claims 1, 18, 35 and 36. Further, at page 4, the Action refers to ‘fig. 8, col. 9 line 15 to col. 10 line 60’ of Kari to disclose: “mapping the network address to the geographic location based on the collected data” as recited in claims 1, 18, 35 and 36.

However, in Kari, the location information is determined *before* the query is transmitted to either server 3 or 4. In particular, Kari states at col. 7, line 60 to col. 8, line 5:

“Next, the application program reads automatically the information on the location and/or on the travel route (block 309). As was presented above in this description, the information on the location can be determined e.g. by using GPS equipment and changed into a form suitable for the application program. This is not necessary, if the user has filled in the information on the location and/or the travel route in block 305.

“Now all the required information is compiled, wherein the application program forms a query message on the basis of the information to be transmitted to the connection server 3 (block 310). The query message is for example a message complying with the HTML language.”

Because the location information is determined before the query is transmitted in Kari, the servers 3 and 4 of Kari are not the same as, or equivalent to, the plurality of data collection machines as claimed, and Kari cannot disclose: “mapping the network address to the geographic location based on the collected data.”

In addition, nothing in ‘fig. 8, col. 9 line 15 to col. 10 line 60’ of Kari, referred to on page 4 of the Action, supports the assertion that the servers 3 and 4 are the same as, or equivalent to, the plurality of data collection machines as claimed. In fact, in contradiction to the assertion in the Action, at col. 9, line 64 to col. 10, line 1, Kari states:

“The query is used at the stage when the user forms a connection to the connection server 3. The query comprises a query message which contains advantageously the following information: information on the location...” (emphasis added).

Again, anticipation requires the presence in a single prior art reference disclosure of each and every element of the claims, arranged as in the claim.

Because Kari does not disclose: “mapping the network address to the geographic location based on the collected data” as recited in claims 1, 18, 35 and 36, Kari simply does not disclose each and every element of independent claims 1, 18, 35, and 36, arranged as in each claim, respectively.

Applicants respectfully submit that Kari, therefore, does not anticipate these claims. Accordingly, independent claims 1, 18, 35 and 36 are patentable over Kari, and Applicants respectfully request that the rejection be withdrawn.

Claims 2, 6-7, 9-15, 19, 23-24 and 26-32 depend from independent claim 1 or 18, and incorporate all of the limitations therein, respectively. Claims 2, 6-7, 9-15, 19, 23-24 and 26-32 are also asserted to be allowable for the reasons presented above, and Applicants respectfully

request notification of same. Applicants consider additional elements of claims 2, 6-7, 9-15, 19, 23-24 and 26-32 to further distinguish over Kari, as applied in the Action, and Applicants reserve the right to present arguments to this effect at a later date.

§103 Rejection of the Claims

Claims 8 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Zoken et al. (U.S. 5,944,787).

Claims 5 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Reed et al. (US 5,862,325).

These rejections are respectfully traversed.

Claims 5, 8, 22, and 25 depend from independent claim 1 or 18, and incorporate all of the limitations therein, respectively. Claims 5, 8, 22, and 25 are also asserted to be allowable for the reasons presented above, and Applicants respectfully request notification of same. Applicants consider additional elements of claims 5, 8, 22, and 25 to further distinguish over Zoken and/or Reed, as applied in the Action, and Applicants reserve the right to present arguments to this effect at a later date.

Allowable Subject Matter

Claims 16, 17, 33 and 34 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 16, 17, 33 and 34 depend, indirectly, from claims 1 and 18. Because claims 1 and 18 are in condition for allowance, as discussed above; claims 16, 17, 33 and 34 are also allowable as originally submitted since they are dependant upon claims which are believed to be allowable. Applicants respectfully submit that claims 16, 17, 33 and 34 are in condition for allowance.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at 408-278-4042 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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8/22/06

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22nd day of August, 2006.

Dawn E. Shaw

Name



Signature